

Comments by Jacob Edwards Wiese, KD9LWR, on WT Docket No 16-239.

In New York University (NYU) petition of 24-October-2019 to the FCC as publicized in Public Notice released 01-November-2019, DA-19-1130, NYU argues that section “97.113(a)(4) of the Commission’s rules prohibits the transmission of effectively encrypted or encoded messages, including messages that cannot be readily decoded over-the-air for true meaning”. NYU also argues that stations in the amateur service has violated both this rule and the unwritten rules of the amateur service particularly the bedrock principles of *openness and transparency*.

As a licensed station of the amateur service I agree with NYUs petition to the FCC. Specifically I agree with the statements that section 97.113(a)(4) of the Commission’s rules should be interpreted to mean the prohibition of “transmission of effectively encrypted or encoded messages, including messages that cannot be readily decoded over-the-air for true meaning”. I also feel that an interpretation other than this significantly hampers *openness and transparency* of the amateur service in multiple ways.

One way this hampers the amateur service is that without the ability for all members of the amateur service to receive and decode signals sent within the amateur service the service is unable to self police. Without this ability to self police, which the commission relies upon, the amateur service would become a wild west.

Secondly if modulations used within the amateur service are not documented in a way that all portions of the documentation are available to the public without copyright and fee this violates both the proposed interpretation of section 97.113(a)(4) and the amateur services bedrock principles of *openness and transparency*.

Finally I agree with NYU that “dynamic compression techniques” generate messages that are effectively encrypted or encoded. I especially agree with NYU that dynamic compression techniques do not improve the usage of radio spectrum.